

ENTERED

May 24, 2017

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA

§

VS.

§

MARICELA URDIALEZ

§ CRIMINAL ACTION NO. 2:13-CR-143-2

§

§

ORDER

Pending before the Court is Defendant Maricela Urdialez's Memorandum in Support of 794 Motion, whereby she moves the Court to reduce her sentence under Amendment 794 to the United States Sentencing Guidelines Manual. D.E. 90.

Defendant previously filed a motion to reduce her sentence under Amendment 794. D.E. 82. The Court denied the motion by Memorandum Opinion & Order entered November 2, 2016, explaining that Amendment 794 is not retroactive, and, even if it were, it would not benefit Defendant because her new guideline range was still higher than the sentence she received. D.E. 83. Defendant appealed the Court's decision to the Fifth Circuit, but her appeal was dismissed for want of prosecution. D.E. 84, 89.

Defendant's present motion does not address the Court's prior Order or move the Court to reconsider its decision. For the reasons stated herein, Defendant's motion to reduce her sentence under Amendment 794 (D.E. 90) is **DENIED**.

ORDERED this 24th day of May, 2017.



NELVA GONZALES RAMOS
UNITED STATES DISTRICT JUDGE